

Maine Board of Osteopathic Licensure
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Minutes of August 8, 2019 Board Meeting – 9:30 a.m. – 12:30 p.m.

Members Present: Melissa Michaud, PA-C, Vice Chair; John Brewer, DO; Marty McIntyre, Public Member; James Pisini, DO; John Gaddis, DO; Ryan Smith, DO. Those members excused: Scott Thomas, DO & Brian Gillis, DO.

Others Present: Susan E. Strout, Executive Secretary; Lisa Wilson, Assistant Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Det. James Gioia, Office of the Attorney General; Amanda Richards, Maine Osteopathic Association; Devon Dean & Maureen Sturtevant, Esquire.

The Complaint Script was read by Ms. Michaud.

I. Complaints & Investigations

Complaint and investigative reviews are conducted in Public Session without the use of names, unless otherwise noted.

A. CR2017 19

Following review of the complaint, response and additional information provided by Det. Gioia, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to dismiss with a Letter of Guidance reminding the licensee that it is his responsibility to maintain accurate patient medical records and that the Letter of Guidance is to remain on file for a period of five (5) years.

B. CR2019 09

Following review of the complaint, response, medical records and rebuttal, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action against the licensee. Dr. Smith, Case Reporter, abstained.

C. IN2019 10

Following review of the investigative materials gathered, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously to close the investigation as it did not rise to a level which would warrant further Board review or action. Dr. Smith, Case Reporter, abstained.

D. CR2019 15

Due to the absence of the Case Reporter, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to table the matter until the October 2019 meeting.

E. CR2019 18

Following review of the complaint, response, medical records and rebuttal, the Board took this action:

MOTION: Made by Dr. Brewer, seconded by Dr. Pisini and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant any action against the licensee. Ms. Michaud, Case Reporter, abstained.

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F. CR2019 16

Following review of the complaint, response, medical records and rebuttal, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Pisini and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action. Dr. Gaddis, Case Reporter, abstained.

G. CR2019 21

Following review of the complaint, response, medical records and rebuttal, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Brewer and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action. Dr. Gaddis, Case Reporter, abstained.

H. IN2019 05

Following review of the investigative materials gathered, the Board took this action:

At this time, the Board voted (Ms. McIntyre, Dr. Pisini) to go into Executive Session based on 1 MRS §6(E). Once again in Public Session, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Pisini, to issue a complaint based on concerns raised by the information presented.

MOTION TO AMEND: Made by Ms. Michaud and accepted by both Ms. McIntyre and Dr. Pisini, in addition, for Board members to review the subpoenaed records for patients who received prescriptions while the licensee was out of the country and to proceed to a hearing as soon as possible with no response extensions to be granted. The Board voted unanimously in favor of the amended motion. Dr. Smith, Case Reporter, abstained.

I. CR2018 07

Following review of the complaint (issued by the Board), the response and rebuttal, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously to further investigate this matter based on information received during the above-noted investigation. Dr. Smith, Case Reporter, abstained.

II. Consent Agreement Compliance Update

A. Andrew Candelore, DO

Ms. McIntyre, Case Reporter, noted no concerns. The Executive Secretary noted having received word from the MPHP¹ that the psychiatrist who the licensee has been seeing for some time will be retiring at the end of September and that the licensee wondered if the Board would approve him to continue seeing him until retirement with a new provider to be proposed for the future.

MOTION: Made by Ms. Michaud, seconded by Dr. Gaddis and voted unanimously to approve the current treatment provider through the end of his retirement with the understanding that a new provider will be proposed. Ms. McIntyre, Case Reporter, abstained.

B. Kevin Kenerson, D.O.

Dr. Gaddis, Case Reporter, noted no new concerns. No Board action was necessary.

¹ Medical Professionals Health Program

III. Minutes/Revenue & Expense Reports

A. Review of July 2019 Meeting Minutes

Following review of the draft minutes to which a few changes were made, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously to approve the July 2019 minutes with the discussed changes.

B. Revenue & Expense Reports

The July 2019 revenue and expense reports, generated by DAFS², were reviewed and accepted.

IV. Other Business

A. FSMB³ Board of Directors Meeting Highlights

Board members reviewed the meeting highlights; no action was taken.

B. Chapter 21 – Review of Hospice Alliance Correspondence

Board members took note of the concerns. It is anticipated that the rule will again be posted for notice and comment. The Boards of Nursing and Medicine will meet in September and this will be on their agendas.

C. ACCME⁴ State Medical Boards Pilot Program

The Board reviewed the pilot program information. The pilot will be available for osteopathic physicians on a limited basis, mainly if the participant is a specialist.

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously for the Board to participate in the ACCME pilot program.

V. Licensure Matters

A. Permanent Licensure Applications

MOTION: Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to approve the licensure applications submitted by: Christopher Baldwin, D.O.; Mario Cisneros, D.O.; Matthew Fasolino, D.O.; Lidwina Groen, D.O.; Halina Harding, D.O.; Christina Clark, PA-C; Jessica Partlow, D.O.; Danielle Tourigny, PA-C; Nicole Wade, D.O.; Steven Talbot, D.O.; Karina Umanskaya, D.O.; Scott Lowman, D.O. & Tandra Hammer, D.O.

B. Physician Assistant Applications

The PA applications were reviewed and voted on amongst the DO applications (see Section A above). Those whose applications were approved and are listed in Section A are: Christina Clark, PA-C and Danielle Tourigny, PA-C.

VI. Adjournment

A motion was made by Ms. McIntyre, seconded by Dr. Pisini and voted to adjourn the meeting at 12:30 p.m.

Respectfully submitted,

Susan E. Strout, Executive Secretary

² Division of Administrative & Financial Services

³ Federation of State Medical Boards

⁴ Accreditation Council for Continuing Medical Education